

10-12-01

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U S Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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JC962 U.S.
PTO
10/10/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|--|
| Attorney Docket No. | DWR:187270-2 |
| First Inventor | Peter J. Honeyman |
| Title | Plant Tissue Preservation Method and Solutions |
| Express Mail Label No. | ET610385412US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 24]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement
(when there is an assignee) Power of Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. Certificate of Mailing
17. Other: via Express Mail

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No.: /

Prior application information: Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | | |
|---|---|----------|---|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 26790 <small>Insert Customer No. or Attach bar code label here</small> | or | <input type="checkbox"/> Correspondence address below |
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|-----------------|-----------------------------------|------------------|
| Name (Print/Type) | Devon W. Ryning | Registration No. (Attorney/Agent) | 48,579 |
| Signature | | Date | October 10, 2001 |

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

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FEE TRANSMITTAL

for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

412.00

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | |
| Filing Date | Concurrently herewith |
| First Named Inventor | Peter J. Honeyman |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | DWR:187270-2 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-1531**
 Deposit Account Name _____

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee Description | Fee Paid | |
|---------------|----------|---------------|-----------------|------------------------|---------------|
| 101 | 740 | 201 | 370 | Utility filing fee | 370.00 |
| 106 | 330 | 206 | 165 | Design filing fee | _____ |
| 107 | 510 | 207 | 255 | Plant filing fee | _____ |
| 108 | 740 | 208 | 370 | Reissue filing fee | _____ |
| 114 | 160 | 214 | 80 | Provisional filing fee | _____ |

SUBTOTAL (1) (\$) **370.00****2. EXTRA CLAIM FEES**

| Total Claims | 18 | -20** = | 0 | x | Fee from below | Fee Paid |
|--------------------|----|---------|---|---|----------------|--------------|
| Independent Claims | 4 | -3** = | 1 | x | 42.00 | 42.00 |
| Multiple Dependent | | | | | | _____ |

Large Entity Small Entity

| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee Description | |
|---------------|----------|---------------|-----------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

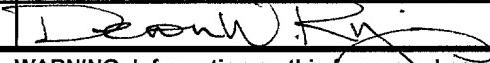
SUBTOTAL (2) (\$) **42.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid | |
|----------------------------|----------------------------|-----------------|---|-------|
| 105 | 130 | 205 | 65 Surcharge - late filing fee or oath | _____ |
| 127 | 50 | 227 | 25 Surcharge - late provisional filing fee or cover sheet | _____ |
| 139 | 130 | 139 | 130 Non-English specification | _____ |
| 147 | 2,520 | 147 | 2,520 For filing a request for ex parte reexamination | _____ |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examiner action | _____ |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | _____ |
| 115 | 110 | 215 | 55 Extension for reply within first month | _____ |
| 116 | 400 | 216 | 200 Extension for reply within second month | _____ |
| 117 | 920 | 217 | 460 Extension for reply within third month | _____ |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | _____ |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | _____ |
| 119 | 320 | 219 | 160 Notice of Appeal | _____ |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | _____ |
| 121 | 280 | 221 | 140 Request for oral hearing | _____ |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | _____ |
| 140 | 110 | 240 | 55 Petition to revive - unavoidable | _____ |
| 141 | 1,280 | 241 | 640 Petition to revive - unintentional | _____ |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | _____ |
| 143 | 460 | 243 | 230 Design issue fee | _____ |
| 144 | 620 | 244 | 310 Plant issue fee | _____ |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | _____ |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17(q) | _____ |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | _____ |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | _____ |
| 146 | 740 | 246 | 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | _____ |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | _____ |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | _____ |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | _____ |
| Other fee (specify) _____ | | | | |

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)***Complete (if applicable)*

| | | | |
|-------------------|---|--------------------------------------|--------|
| SUBMITTED BY | | | |
| Name (Print/Type) | Devon W. Ryning | Registration No. (Attorney/Agent) | 48,579 |
| Signature |  | | |
| Telephone | (503) 224-5858 | | |
| Date | 10/10/2001 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|--|
| First Named Inventor | Peter J. Honeyman |
| Title | Plant Tissue Preservation Method and Solutions |
| Atty Docket Number | DWR:187270-2 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 10, 2001

Date



Signature

Devon W. Ryning

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

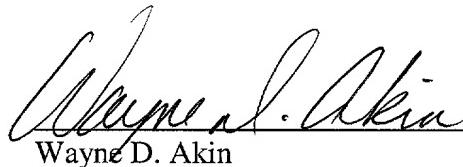
CERTIFICATION UNDER 37 CFR 1.10

CERTIFICATE OF MAILING BY
“EXPRESS MAIL”

Express Mail No.: ET610385412US

Date of Deposit: October 10, 2001

I hereby certify that the new Utility Patent Application Transmittal PTO/SB/05 (1 page); Fee Transmittal, in duplicate (2 pages); Specification (24 pages); six sheets of drawings (FIGS. 1-8); Declaration (2 pages); Power of Attorney (1 page); Information Disclosure Statement (2 pages); Form PTO/SB/08A (1 page); copies of references cited (9 U.S. Patents); Nonpublication Request (1 page); check in the amount of \$412 for the filing fee; a return acknowledgment postcard; and this Certificate of Mailing by Express Mail are being deposited with the United States Postal Service, “Express Mail Post Office to Addressee” service under 37 CFR 1.10, on the date indicated above and is addressed to Commissioner for Patents, Box Patent Application, Washington, DC 20231.



Wayne D. Akin
Wayne D. Akin